

PRELIMINARY ACTION AGENDA  
LAKE FOREST CITY COUNCIL

Regular Meeting of the City Council  
October 19, 2010

Lake Forest City Hall  
25550 Commercentre Drive  
Council Chambers  
Lake Forest, California 92630

PRELIMINARY ACTION AGENDA: The listed Action represents a brief synopsis of the Council action. The Council Minutes, when approved, stand as the official record of the meeting. This Preliminary Action Agenda is provided as quick reference only and is NOT intended to serve as any form of the official record and should not be relied upon in making important decisions. Before making important decisions, you should review the approved minutes.

CALL TO ORDER:

6:07 p.m.

ROLL CALL: Council Members:

Kathryn McCullough

Marcia Rudolph

Mark Tetterer

Mayor Pro Tem:

Richard T. Dixon (absent)

Mayor:

Peter Herzog

City Manager:

Robert C. Dunek

City Attorney:

Scott C. Smith

City Clerk:

Stephanie D. Smith

CLOSED SESSION (F:16.3)

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Initiation of litigation pursuant to Government Code Section 54956.9(c)  
Number of Potential Cases: 1
2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to Government Code Section  
54956.9(b)  
Number of Potential Cases: 1

ACTION: Conducted Closed Session.

RECESS: City Council recessed from Closed Session at 6:43 p.m. for the purpose of conducting regular City business.

RECONVENE: City Council reconvened at 7:00 p.m. with Mayor Pro Tem Dixon

absent (excused) to continue regular City business.

## PUBLIC SESSION

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance to the Flag of our Country was led by Council Member Tette mer.

## CLOSED SESSION REPORT:

City Attorney Smith stated there was no reportable action.

## PRESENTATIONS:

There were no items scheduled for Presentation.

## REPORT FROM STUDENT LIAISON: (F: 35.2A)

John Heffel, Student Liaison from El Toro High School, presented his report.

RECESS: City Council recessed at 7:05 p.m. for the purpose of conducting Redevelopment Agency business.

RECONVENE: City Council reconvened at 7:06 p.m., with Mayor Pro Tem Dixon absent, to continue regular City business.

## PUBLIC COMMENTS: (F: 26.12)

The following members of the public offered comments:

Felix Schwartz, Lake Forest resident  
Fred Saad, owner El Toro Animal Hospital  
Matthew Corrigan, Mission Viejo resident  
Scott Voigts, Lake Forest resident

## CONSENT CALENDAR - WARRANT REGISTER: (Item No. 3)

3. CERTIFICATION OF WARRANT REGISTER submitted by Director of Finance/City Treasurer. (F: 30.11)

ACTION: On motion by Council Member Tette mer, second by Council Member McCullough, the City Council approved the warrant register in the amount of \$565,585.05 as submitted. MOTION CARRIED with Mayor Pro Tem Dixon absent.

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 4 - 9)

ACTION: On motion by Council Member Rudolph, second by Council Member McCullough, the City Council approved Consent Calendar Item Nos. \*4-8. MOTION CARRIED with Mayor Pro Tem Dixon absent.

- \*4. WAIVE READING OF ORDINANCES AND RESOLUTIONS submitted by City Clerk.

ACTION: Approved the reading by title of all Ordinances and Resolutions. Said Ordinances and Resolutions which appear on the public agenda shall be determined to have been read by title and further reading waived.

- \*5. MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON SEPTEMBER 21, 2010 submitted by City Clerk.

ACTION: Approved as submitted.

- \*6. QUARTERLY REPORT ON COMMISSION ATTENDANCE - THIRD QUARTER 2010 submitted by City Clerk. (F: 23.4)

ACTION: Approved Commission absences as excused.

- \*7. MONTHLY TREASURER'S REPORT - SEPTEMBER submitted by Director of Finance/City Treasurer. (F: 30.12)

ACTION: Received and filed the report as submitted.

- \*8. AMENDMENT OF PERSONNEL RULES AND REGULATIONS - HEALTH INSURANCE submitted by Deputy City Manager/Director Management Services. (F: 51.7) (X: 48.6)

ACTION: Adopted Resolution No. 2010-40 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING THE AMENDMENT OF THE PERSONNEL RULES AND REGULATIONS.

PULLED CONSENT CALENDAR ITEMS

- 9. CONSTRUCTION CONTRACT AWARD FOR THE ETNIES SKATE PARK OF LAKE FOREST EXPANSION PROJECT PW 2009.10

submitted by Director of Public Works/City Engineer. (F: 46.9A)

**ACTION:** On motion by Council Member Rudolph, second by Council Member McCullough, the City Council: 1. Awarded a contract in the amount of \$736,566.50 to California Skate Parks, Inc., of Upland, California, for construction of the Etnies Skate Park Expansion Project (PW 2009.10). 2. Upon receipt of the executed contract documents from California Skate Parks, Inc., authorized return of the Bid Bond. 3. Authorized the reallocation of \$206,700 in the existing 5-Year Strategic Business Plan and budget for park and playground renovations funds to supplement the project budget. 4. Authorized the Mayor to sign, and City Clerk to attest the contract with California Skate Parks, Inc., substantially in the form attached. 5. Authorized the City Manager to approve contract change orders up to a maximum ten percent of the contract amount.

**PUBLIC HEARING(S):**

10. AN APPEAL OF PLANNING COMMISSION'S DENIAL OF SDP 7-10-1339, 22942 RIDGE ROUTE DRIVE, SUITE 100 submitted by Director of Development Services. (F:23.5E13)

**ACTION:** On motion by Council Member Rudolph, second by Mayor Herzog, the City Council adopted Resolution No. 2010-41 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA UPHOLDING THE ACTION OF THE PLANNING COMMISSION AND DENYING SITE DEVELOPMENT PERMIT 7-10-1339 FOR THE ADDITION OF AN OUTDOOR PATIO FOR A NEW RESTAURANT LOCATED AT 22942 RIDGE ROUTE DRIVE, SUITE 100. MOTION CARRIED with Mayor Pro Tem Dixon absent.

**DISCUSSION/ACTION ITEMS:**

11. REQUEST FOR APPOINTMENT - LEAGUE OF CALIFORNIA CITIES submitted by City Clerk.

**ACTION:** The City Council made no appointments.

**CITY MANAGER'S REPORT:**

City Manager Dunek presented comments.

CITY COUNCIL COMMENTS: (F: 26.9)

Council Member McCullough offered comments.

Council Member Rudolph offered comments.

Council Member Tetteimer offered comments.

Mayor Pro Tem Dixon was absent.

Mayor Herzog offered comments.

CONTINUED CLOSED SESSION:

There was no continued Closed Session.

ADJOURNMENT: 8:53 p.m.